

EXHIBIT 1

In the Matter of:

Emmanuel Thiersaint vs

Department of Homeland Security, et al

William Chambers

December 14, 2020

68 Commercial Wharf • Boston, MA 02110

888.825.3376 - 617.399.0130

Global Coverage

court-reporting.com



Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Case No. 1:18-cv-12406-PBS

EMMANUEL THIERSAINT,

Plaintiff,

v.

DEPARTMENT OF HOMELAND SECURITY,
US IMMIGRATION AND CUSTOMS
ENFORCEMENT; WILLIAM CHAMBERS,
in his individual capacity; JOHN
DOE DEFENDANTS 1-10, unknown ICE
Agents, in their individual
capacities; SUFFOLK COUNTY
SHERIFF'S DEPARTMENT; JOHN DOE
DEFENDANTS 11-16, unknown
officers of the Suffolk County
Sheriff's Department, in their
individual capacities; and
UNITED STATES OF AMERICA,

Defendants.

DEPOSITION OF WILLIAM CHAMBERS

Monday, December 14, 2020
Boston, Massachusetts
Commencing at 9:06 a.m.

(This proceeding was conducted via Zoom.
All participants appeared remotely.)

REPORTED BY: Deanna J. Dean, RDR, CRR

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

2

A P P E A R A N C E S

Representing the Plaintiff:

WOLF, GREENFIELD & SACKS, PC

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8280

BY: LIBBIE A. DIMARCO, ESQ.

elizabeth.dimarco@wolfgreenfield.com

Representing William Chambers and Federal
Defendants:

UNITED STATES DEPARTMENT OF JUSTICE

United States Attorney's Office

1 Courthouse Way, Suite 9200

Boston, MA 02210

(617) 748-3100

BY: EVE A. PIEMONTE, ESQ.

eve.piemonte@usdoj.gov

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

3

A P P E A R A N C E S (cont'd.)

Representing Suffolk County Sheriff's Department:

SUFFOLK COUNTY SHERIFF'S DEPARTMENT

200 Nashua Street

Boston, MA 02114

(617) 704-6680

BY: MELISSA J. GARAND, ESQ.

mgarand@scsdma.org

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

4

I N D E X

Examination	Page
WILLIAM CHAMBERS	
BY MS. DiMARCO	8, 148
BY MS. GARAND	147

E X H I B I T S

Chambers	Description	Page
Exhibit 1	Defendants' Automatic Disclosures	44
Exhibit 2	Intergovernmental Service Agreement between Suffolk County Sheriff's Department and Department of Homeland Security, Bates Nos. SDSD000871 to 884	45
Exhibit 3	9/13/19 Letter to Wolf Greenfield from Suffolk County Sheriff's Department	50
Exhibit 4	Deportation Officer Job Description, Bates Nos. GOV000940 to 975	54

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

5

E X H I B I T S (cont'd.)

Chambers	Description	Page
Exhibit 5	Government's Answers to Plaintiffs' First Set of Interrogatories	56
Exhibit 6	12/15/16 Assessment and Accommodation for Detainees with Disabilities, Bates Nos. GOV000020 to 34	69
Exhibit 7	9/20/00 INS Detention Standard - Medical Care	72
Exhibit 8	Dec. 12-14, 2017 Office of Detention Oversight Compliance Inspection	80
Exhibit 9	2/17/16 Email from K. O'Donnell, Bates No. GOV002999	92
Exhibit 10	Excerpt from Deposition Transcript of Brian Kaiser	101
Exhibit 11	2/19/16 Email from K. Brooks to W. Chambers, Bates No. GOV0002908	105
Exhibit 12	E. Thiersaint Medical Records, Bates Nos. GOV000087 to 168	108

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

6

E X H I B I T S (cont'd.)

Chambers	Description	Page
Exhibit 13	Suffolk County Sheriff's Department Answers to Interrogatories	111
Exhibit 14	Email Chain, Bates Nos. GOV003135 to 136	115
Exhibit 15	2/26/16 Email from R. Sousa to K. Sullivan, Bates No. GOV003090	122
Exhibit 16	2/26/16 Email from W. Chambers to R. Sousa, Bates Nos. GOV003142 to 144	130
Exhibit 17	Report Titled "ICE Detention Facilities, Failing to Meet Basic Standards of Care"	133
Exhibit 18	Complaint	142

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

7

1 P R O C E E D I N G S

2 THE REPORTER: My name is Deanna Dean.

3 I am a licensed court reporter and a Notary Public
4 in the Commonwealth of Massachusetts.

5 This deposition is being taken remotely.

6 This witness is appearing remotely from Boston,
7 Massachusetts. The attorneys participating in this
8 proceeding acknowledge their understanding that I
9 am not physically present in the proceeding room,
10 nor am I physically present with the witness and
11 that I will be reporting this proceeding remotely.

12 They further acknowledge that, in lieu of
13 an oath administered in person, the witness will
14 verbally declare his testimony in this matter under
15 the pains and penalties of perjury. The parties
16 and their counsel consent to this arrangement and
17 waive any objections to this manner of proceeding.

18 Please indicate your agreement by stating
19 your name and your agreement on the record, after
20 which I will swear in the witness and we may begin.

21 MS. DiMARCO: Okay. Elizabeth DiMarco
22 from Wolf Greenfield on behalf of the plaintiff,
23 and we agree with this arrangement.

24 MS. PIEMONTE: Eve Piemonte on behalf of

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

8

1 officer Chambers and the federal defendants, and
2 I agree.

3 MS. GARAND: Melissa Garand on behalf of
4 the Suffolk County Sheriff's Department, and I
5 agree.

6 WILLIAM CHAMBERS

7 a witness called for examination by counsel for the
8 Plaintiff, having been satisfactorily identified
9 and being first duly sworn by the Notary Public,
10 was examined and testified as follows:

11 EXAMINATION

12 BY MS. DiMARCO:

13 Q. Good morning, Officer Chambers. My name
14 is --

15 A. Good morning.

16 Q. My name is Elizabeth DiMarco. I represent
17 the plaintiff in this case, Emmanuel Thiersaint. I
18 will be asking you a series of questions today.

19 I want to go over some ground rules that
20 you might already be familiar with, but especially
21 during a video deposition, I think it helps as we
22 get started.

23 who is your current employer?

24 A. I'm unemployed.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

13

1 an age stipulation. I had to retire because of my
2 age.

3 Q. Is that an ICE policy?

4 A. Correct.

5 Q. At what age do you have to retire?

6 A. The end of the month when I turn age 57.

7 Q. And what was your position immediately
8 before you retired?

9 A. I was also ICE liaison down at Bristol
10 County House of Correction. I was a deportation
11 officer.

12 Q. How long were you the ICE liaison at the
13 Bristol County House of Correction?

14 A. Since October 2019.

15 Q. At some point were you the ICE liaison at
16 the Suffolk County House of Correction?

17 A. Correct, prior to that. September. And I
18 was ICE liaison at Suffolk from the end of January
19 2013 to that October of 2019.

20 Q. And why did you stop serving as ICE
21 liaison at Suffolk County House of Correction in
22 October of 2019?

23 A. Because they moved the ICE detainees out
24 of Suffolk County House of Correction and I did not

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

15

1 A. In which way?

2 Q. Well, in your -- how did you understand
3 ICE's mission as the ICE liaison, while you were
4 the ICE liaison from January 2013 to October of
5 2019?

6 MS. PIEMONTE: I'll object.

7 Go ahead if you can.

8 THE WITNESS: Say it again?

9 MS. PIEMONTE: Go ahead and answer if you
10 can.

11 THE WITNESS: Yes.

12 A. My -- I'm not sure what ICE's mission was,
13 but I know what my duties were.

14 Q. Okay.

15 A. And my duties were to assist the ICE
16 detainees and plus -- plus any questions they had
17 and any issues.

18 MS. PIEMONTE: Sorry, Libbie. Just to
19 help with that question, if you want to revisit,
20 different components of ICE have varying
21 missions, and so that might be one of the
22 issues.

23 So if you want to drill that down, if
24 that's important to you, I just wanted to make

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

17

1 Q. Who was the prior ICE liaison that you
2 learned your duties from?

3 A. A Mr. Mark Leclerc.

4 Q. How did Mr. Leclerc teach you your duties
5 as ICE liaison?

6 A. At Suffolk he told -- he told me what he
7 did on a weekly basis.

8 Q. Did you then perform the same tasks on a
9 weekly basis after you learned that?

10 A. Correct.

11 Q. While you were ICE liaison for Suffolk
12 County House of Correction, what did you do on a
13 weekly basis?

14 A. Again, I said I -- I talked to the ICE
15 detainees about their issues or if they have any
16 questions. Usually it's either done verbally or
17 it's written down. I -- if they had questions
18 about deportation, voluntary departure or bond
19 issues, I explained it to them. I served
20 immigration paperwork such as a POCR or continued
21 detention that is sent to me from the Burlington
22 office from the individual case officer. I deal
23 with hunger strikes. I monitor hunger strikes. I
24 deal with meal -- if there's any meal issues. I

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

18

1 give them consulate calls. I've given them
2 attorney calls. I make sure the phone system is
3 working. I make sure the computer legal LexisNexis
4 is working. Let's see. If they're put in
5 segregation, I input their information into a seg
6 database. And that's pretty much it.

7 I also deal with money issues and property
8 issues.

9 Q. When you served immigration paperwork, do
10 you mean you served the immigration paperwork on
11 ICE detainees?

12 A. Correct.

13 Q. So I think you stated if they're put in
14 segregation, you input -- you would input their
15 information into a -- did you say "seg database"?

16 A. A national segregation database, yes.

17 Q. Okay. What do you mean when you say put
18 in segregation?

19 A. If they have a fight and they're put in --
20 they are put in a restricted housing unit because
21 of that issue, or if they act up or many other
22 reasons why they should not be in population.

23 Q. Where was the restricted housing unit at
24 the Suffolk County House of Correction?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

20

1 in there for security reasons.

2 Q. why would they put -- first of all, what
3 do you mean when you say "they"?

4 A. Suffolk would.

5 Q. Okay. Did you have any input into the
6 decision for ICE detainees being housed in the
7 medical housing unit?

8 A. No, I don't.

9 Q. Were you informed of it when it happened
10 while you were ICE liaison at Suffolk County?

11 A. Informed of what?

12 Q. That an ICE detainee would be housed in
13 the medical housing unit.

14 A. Through a roster. Through a -- an ICE
15 roster, I was notified.

16 Q. What is an ICE roster?

17 A. It's a roster with all the detainees on it
18 and told which units they were in.

19 Q. So if a particular ICE detainee was put in
20 medical housing, you weren't specifically notified
21 about that ICE detainee, but you found out through
22 the roster?

23 A. That way, or I would go to the medical
24 unit and see if there was any ICE detainees there.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

21

1 Q. Okay. You said the restricted housing was
2 for ICE detainees that acted up or should not be in
3 general population. Is that right?

4 A. Segregation, yes.

5 Q. And that's a medical --

6 A. Can you repeat that one more time?

7 Q. I asked why an ICE detainee would be put
8 in segregation housing, and you stated if they have
9 a fight, they would be put in restricted housing
10 unit or another issue or act up or a reason they
11 should not be in the general population.

12 Is that accurate?

13 A. Correct. Correct.

14 Q. Okay. Then you later said that Suffolk
15 County would sometimes put people in the medical
16 housing unit for security reasons?

17 A. Yes.

18 Q. Why would someone be housed in a medical
19 housing unit for security reasons?

20 MS. PIEMONTE: Objection.

21 A. That was not my decision. I do not know
22 why.

23 Q. Is that consistent with ICE's policies to
24 house an ICE detainee in a medical housing unit for

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

22

1 security reasons?

2 MS. GARAND: Objection.

3 A. It's not ICE's policy. It was Suffolk's
4 policy. It wasn't ICE's policy.

5 Q. Let me clarify. Was Suffolk's policy
6 consistent with ICE's policy?

7 MS. PIEMONTE: Objection.

8 MS. GARAND: Objection.

9 A. Yes. Yes, it was.

10 Q. So ICE's policy allows ICE detainees to be
11 separated in the medical housing unit for security
12 reasons?

13 MS. PIEMONTE: Objection.

14 A. Yes, it -- yes, it was.

15 Q. You mentioned a national segregation
16 database?

17 A. Correct.

18 Q. What is that database used for?

19 MS. PIEMONTE: Objection. Asked and
20 answered.

21 Go ahead.

22 A. To notice people that are in the SRMS
23 after 14 days, 30 days, and 60 days that they're in
24 a segregation -- they're in segregation.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

29

1 MS. GARAND: Objection.

2 A. For a mental health issue that a person
3 was there for -- a combination of being in there --
4 they usually didn't -- I usually -- I don't really
5 recall too often that ever happened.

6 Q. Okay. So can you -- are you unable to
7 recall any instance where that happened?

8 A. Yeah, I am. Yes, I am.

9 Q. You mentioned in your duties as ICE
10 liaison you helped the detainees with certain
11 issues. Is that right?

12 A. Correct.

13 Q. And I think you said sometimes you found
14 out about them verbally?

15 A. Yes.

16 Q. Okay. How did you interact with ICE
17 detainees verbally while you were the ICE liaison
18 of the Suffolk County House of Correction?

19 A. I would walk around in each unit and talk
20 to them.

21 Q. About how often would you walk through the
22 units at Suffolk County House of Correction?

23 A. I would be there five days a week walking
24 through the units, or answering their issues

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

30

1 through a -- through an ICE request sheet.

2 Q. You were on-site at the Suffolk County
3 House of Correction five days a week in 2016?

4 A. Correct.

5 Q. Did you walk the units every day?

6 A. Not every unit, but I was in there -- I
7 was in there every day and I walked the unit.

8 Q. Did you have a schedule that you followed
9 for which you unit you would visit on which day?

10 A. Yes.

11 Q. What day of the week -- oh, go ahead.

12 A. Tuesdays and Thursdays I would be in the
13 medical and female units. The rest of the time I
14 would be in the main building, main ICE building.

15 Q. How did you receive the ICE slips that you
16 mentioned, the forms?

17 A. I would go into each unit and they were in
18 a lockbox and I would get them out of the lockbox.

19 Q. How often did you retrieve the slips from
20 the lockbox for each unit?

21 A. Every time I was in the unit.

22 Q. If an ICE detainee in the medical housing
23 unit put a slip in the lockbox on a Friday, you
24 would retrieve it the next Tuesday?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

31

1 A. Correct.

2 Q. Did you have an office space at the
3 Suffolk County House of Correction?

4 A. Yes, I did. Yes, I did.

5 Q. Where was that located?

6 A. In Building 8 on the first floor.

7 Q. When did you first start using that office
8 space at the Suffolk County House of Correction?

9 A. From day one.

10 Q. Were there any other ICE officers who used
11 that same space?

12 A. No. I had my own office.

13 Q. Did any other ICE officers have office
14 space at the Suffolk County House of Correction in
15 2016?

16 A. Yes. Yes, they did.

17 Q. How many --

18 A. Maybe one other officer.

19 Q. And was it one specific ICE officer or did
20 it rotate?

21 A. It was one specific ICE officer.

22 Q. Who was --

23 A. They would also do Air Ops there, out of
24 Suffolk. They didn't have an office.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

37

1 authority over sheriff's department employees in
2 2016?

3 MS. PIEMONTE: Objection.

4 Go ahead.

5 A. No. No, they don't.

6 Q. Did your role require you to interact with
7 anyone from the Suffolk County Sheriff's
8 Department?

9 A. Yes.

10 Q. Who did you interact with --

11 A. Correctional officers.

12 Q. -- from Suffolk County Sheriff's
13 Department?

14 A. All the correctional officers and the
15 lieutenant in the facility in Building 8, the
16 medical unit, and the female unit.

17 Q. Do you remember who the lieutenant was in
18 2016 for Building 8?

19 A. Yes. Lieutenant Kaiser, Brian Kaiser.

20 Q. Did the medical unit have a separate
21 lieutenant in 2016?

22 A. Yes, they did.

23 Q. Do you remember who it was?

24 A. I do not. I do not recall.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

38

1 Q. Did you interact with the Suffolk County
2 Sheriff's Department medical personnel at Building
3 6 at all?

4 A. I interacted with the NaphCare health
5 people.

6 Q. And what -- how would you interact with
7 the NaphCare personnel in 2016?

8 A. I would -- I would talk to the NaphCare
9 nurse, the RN, and ask her if there was any issues.

10 Q. How frequently would you ask if there were
11 issues?

12 A. Every time I went into the unit, usually
13 twice a week. Unless I knew there was a reason to
14 go there.

15 Q. I'm going to ask you about some acronyms
16 to see if you know -- if you're familiar with them.

17 Are you familiar with the acronym PCC?

18 A. No, I'm not.

19 Q. Are you familiar with the acronym OIC?

20 A. Yes.

21 Q. What does OIC --

22 A. Officer in charge.

23 Q. Who was the OIC for Suffolk County House
24 of Correction in 2016?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

46

1 know if you've ever seen this document before.

2 A. I have not.

3 Q. This is the intergovernmental service
4 agreement in place between the Suffolk County
5 Sheriff's Department and the Department of Homeland
6 Security.

7 On page with the label SCSD000873, there
8 is a paragraph B, which states "The service
9 provider shall provide adult BICE detainees with
10 safekeeping, housing, subsistence, medical, and
11 other services in accordance with this agreement."

12 Is your understanding that the Suffolk
13 County Sheriff's Department was responsible for
14 housing the ICE detainees at the House of
15 Correction?

16 A. Correct.

17 Q. And that the Suffolk County Sheriff's
18 Department was responsible for the safekeeping of
19 ICE detainees housed at the House of Correction?

20 A. Correct.

21 Q. As the ICE liaison, did you have any
22 functions related to ensuring that the Suffolk
23 County Sheriff's Department was complying with
24 applicable laws and regulations in this housing and

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

47

1 safekeeping?

2 A. I would just make sure that my supervisor
3 knew that there was a -- if there was an issue.

4 Q. What type of issues would you inform your
5 supervisor about?

6 A. Hunger strikes. Food issues. Medical
7 issues. Assaults. And the -- how the unit is
8 functioning in the four major units.

9 Q. What are the four major units?

10 A. It would be -- there were three units in
11 Building 8. They were done by classification:
12 1, 2, and 3, and a female unit.

13 Q. And is the female unit the fourth unit you
14 were referring to?

15 A. Correct.

16 Q. The supervisor that you were -- when you
17 say "I would make sure my supervisor knew," you're
18 referring to SDDO Beth Sansone?

19 A. Yes.

20 Q. What type of medical issues did you take
21 to SDDO Beth Sansone?

22 A. If a person needed outside surgery. I
23 can't recall off the top of my head any medical
24 issues that I referred to.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

48

1 Q. Was it more common that you were
2 contacting SDDO Beth Sansone about assaults or
3 hunger strikes?

4 MS. PIEMONTE: Objection.
5 Go ahead.

6 A. Yes.

7 Q. Is it your understanding that the Suffolk
8 County Sheriff's Department was responsible for
9 providing medical services to ICE detainees while
10 they were housed at the house of correction?

11 A. Yes.

12 Q. And as ICE liaison, did you personally
13 have any functions for ensuring that ICE detainees
14 received adequate medical services?

15 MS. PIEMONTE: Objection.
16 Go ahead.

17 A. I had no responsibility, but I would look
18 into the issues for the individual.

19 Q. So you had no formal job responsibilities,
20 but you looked into medical issues for your
21 detainees?

22 MS. PIEMONTE: Objection.

23 Q. Is that what you're saying?

24 A. Yes.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

52

1 concerned you, what options did you have to correct
2 it?

3 A. I would either bring it to Suffolk
4 management or I would bring it to -- and I would
5 also refer it to ICE management of the issue.

6 Q. Did you have any authority to influence
7 when an ICE detainee was housed in the medical
8 housing unit at the Suffolk County House of
9 Correction?

10 A. No, I didn't.

11 Q. Did you have any authority to influence
12 when an ICE detainee was placed in a segregation
13 unit at the Suffolk County House of Correction?

14 MS. PIEMONTE: Objection.

15 Go ahead.

16 A. No, I didn't.

17 Q. During the time that you served as ICE
18 liaison at the Suffolk County House of Correction,
19 were there any times where you disagreed with where
20 an ICE detainee was held?

21 A. Yes, I have disagreed. And it was mainly
22 a classification issue.

23 Q. Do you mean you disagreed with how ICE
24 classified a detainee?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

54

1 (Chambers Exhibit 4 marked for
2 identification.)

3 Q. Officer Chambers, I just introduced
4 another exhibit which is marked as Exhibit 4. This
5 appears to be the job description for a deportation
6 officer, and I'm going to ask you to -- you should
7 be able to control the pages, if you have a mouse.

8 I am going to ask you to look at the
9 introduction and let me know when you've finished
10 looking through that.

11 A. (Reviewing document.)

12 I'm finished.

13 Q. Did this job description apply to you as
14 the ICE liaison?

15 MS. PIEMONTE: Objection.

16 Go ahead.

17 A. Yes, it does.

18 Q. I have skipped ahead to page 3, which has
19 the label GOV000942 in the bottom right-hand
20 corner. There is a section labeled "Custody," and
21 the third bullet states "Ensure the safe, secure,
22 and humane treatment of detainees while in ICE
23 custody in accordance with established standards."

24 Do you agree that that was one of your

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

55

1 responsibilities as the ICE liaison at the Suffolk
2 County House of Correction?

3 A. Yes, I do.

4 Q. What does "safe, secure, and humane
5 treatment" mean to you?

6 A. It just means that each detainee should
7 not fear being in the facility and is treated
8 humanely.

9 Q. Do you think humane treatment of detainees
10 includes access to recreation?

11 A. Yes, I do.

12 Q. While you were the ICE liaison at Suffolk
13 County House of Correction, approximately how many
14 ICE detainees did you encounter with an amputated
15 limb?

16 A. Probably about three.

17 Q. Which limbs were amputated in those three
18 examples that you can think of?

19 A. An arm and a leg, and -- and Mr.
20 Thiersaint.

21 Q. Was the individual with an amputated arm
22 housed in Building 8?

23 A. I can't recall.

24 Q. What about the --

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

62

1 Mr. Deslauriers would bring it up to you with the
2 facility. What would you then do once that issue
3 was brought to your attention?

4 A. Try to -- try to fix the issue.

5 Q. And how did you accomplish fixing these
6 issues?

7 MS. PIEMONTE: Objection.

8 Go ahead.

9 A. It was on a case-by-case issue. Files
10 might have the wrong paperwork, you know. You
11 know, I would work with the Burlington ICE office
12 to fix those issues. That would be an example.

13 Q. Would you characterize your
14 responsibilities as the ICE liaison as
15 administrative in nature?

16 MS. PIEMONTE: Objection.

17 Go ahead.

18 A. Partially, but I was mainly -- I was
19 hands-on, too, because I was answering detainee
20 request forms daily.

21 Q. If a detainee requested to have his
22 housing changed, what would you do?

23 A. I would talk to the superintendent of -- I
24 mean talk to the lieutenant of the ICE building on

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

63

1 that.

2 Q. But you had no ability to move the ICE
3 detainee's housing yourself?

4 A. No, I -- no, I do not have that ability.

5 Q. So you mentioned detention standards a few
6 times. What are the ICE detention standards?

7 MS. PIEMONTE: Objection. Can we clarify
8 a time frame or --

9 A. Detention standards of 2000. That's
10 what -- a whole list of them in the book of -- NDS
11 2000, that's what Suffolk was.

12 Q. So Suffolk County was under the 2000
13 National Detention Standards?

14 A. Correct.

15 Q. Do you know how many different detention
16 standards ICE has, total?

17 A. Not on hand.

18 Q. More than one?

19 A. Yes.

20 Q. How did you know that the 2000 National
21 Detention Standards were applicable to the Suffolk
22 County House of Correction?

23 A. Through the inspections.

24 Q. What about at Bristol County House of

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

73

1 Standard, Medical Care," and it has a date of
2 September 20, 2000, at the bottom.

3 Do you recognize this document?

4 A. Where is it from again?

5 Q. That's what I was going to ask you.

6 Are you able to tell where this document
7 is from?

8 A. I believe -- it would probably be from the
9 2000 standards, NDS 2000.

10 Q. I can inform you that I downloaded this
11 document from the ICE website, and it's on the
12 website labeled as the 2000 National Detention
13 Standards.

14 Does this look like what you've seen in
15 the 2000 National Detention Standards before?

16 A. Yes.

17 Q. At the bottom of page 1, there's a section
18 labeled "III. Standards and Procedures," and in
19 the second paragraph, second sentence, it says "The
20 OIC with the cooperation of the clinical director
21 will negotiate and keep current arrangements," and
22 then it goes on.

23 At the Suffolk County House of Correction
24 in 2016, was the OIC -- I think you testified it

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

99

1 A. Yeah. He had -- he wanted to know why he
2 was in medical, not in the main facility.

3 Q. Did you answer that question for him?

4 A. Not at that time.

5 Q. Did you -- after you spoke with Mr.
6 Thiersaint and he asked you why he was in medical
7 and not the main facility, did you inquire as to
8 why he was housed in the medical housing unit?

9 A. Yes.

10 Q. Who did you ask?

11 A. Lieutenant Kaiser.

12 Q. Do you remember what date or around what
13 date you asked Lieutenant Kaiser?

14 A. Probably afternoon on Tuesday -- let me
15 see -- the 23rd.

16 Q. That same day that Mr. Thiersaint asked
17 you?

18 A. Yes.

19 Q. Did Lieutenant Kaiser give you an answer?

20 A. I think it was safety reasons.

21 Q. What do you mean by "safety reasons"?

22 A. If he was sent to the main -- to the unit,
23 the main unit, he thought there would be a
24 possibility he wouldn't be able to defend himself.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

100

1 Q. That Mr. Thiersaint would not be able to
2 defend himself?

3 A. Correct.

4 Q. Against whom?

5 A. Other people in the -- the other people in
6 the general population.

7 Q. So the concern as you understood it was
8 that Mr. Thiersaint might be in danger of others in
9 the general population?

10 A. That's what he told me.

11 Q. He did not tell you that Mr. Thiersaint
12 would pose a danger to others in the general
13 population?

14 A. He didn't say -- he didn't say that.

15 Q. Okay. So your understanding was that it
16 was to protect Mr. Thiersaint?

17 A. Correct.

18 Q. Was there anyone particularly dangerous in
19 the general population at that time?

20 MS. PIEMONTE: Objection.

21 A. I wouldn't know that.

22 Q. Did you share Lieutenant Kaiser's concern
23 that Mr. Thiersaint would be at risk in the general
24 population at that time?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

101

1 A. With who?

2 Q. Did you agree with Lieutenant Kaiser that
3 Mr. Thiersaint would not be safe if he was housed
4 in the general population at that time?

5 MS. PIEMONTE: Objection.

6 A. That wasn't my decision.

7 Q. Did you have any opinion on it?

8 A. No, I didn't have any opinion on it.

9 Q. Did you inform Lieutenant Kaiser that Mr.
10 Thiersaint did not want to be housed in the medical
11 housing unit?

12 A. Yes, I said that.

13 Q. Is the medical housing unit the only place
14 where the Suffolk County Sheriff's Department
15 housed people for safety reasons?

16 MS. PIEMONTE: Objection.

17 A. Could be restrictive housing, but I'm not
18 sure at that time.

19 Q. Do you understand that Lieutenant Kaiser
20 has been deposed as part of this lawsuit?

21 A. Yes.

22 (Chambers Exhibit 10 marked for
23 identification.)

24 Q. I have introduced a document and marked it

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

102

1 as Exhibit 10. This is an excerpt from the
2 transcript of Lieutenant Kaiser's deposition which
3 occurred on November 12, 2020.

4 During his deposition, Lieutenant Kaiser
5 was asked, "Just to be clear, would the Suffolk
6 County Sheriff's Department have had any role
7 whatsoever in a decision to house Mr. Thiersaint in
8 the medical housing unit?"

9 And he answered, "Not to my knowledge,
10 no."

11 Then he was asked, "Do you know why Mr.
12 Thiersaint was housed in the medical housing unit?"

13 And he answered, "I do not."

14 Is that testimony inconsistent with the
15 conversation that you just recalled?

16 A. Yes.

17 Q. Okay. Does that change your answer at all
18 about what you discussed with Lieutenant Kaiser?

19 MS. PIEMONTE: Objection.

20 A. It does not. Unless -- unless he had
21 spoken to an ICE supervisor.

22 Q. What do you mean by that?

23 A. I don't -- scratch that.

24 Q. Okay. So what did you mean when you said

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

140

1 deficient medical, dental, and mental health care."

2 Do you agree with the Committee on
3 Homeland Security's conclusion here?

4 MS. GARAND: Objection.

5 MS. PIEMONTE: Objection.

6 A. I do not.

7 Q. Do you think that Mr. Thiersaint received
8 adequate medical care when he was housed at the
9 Suffolk County House of Correction?

10 MS. GARAND: Objection.

11 MS. PIEMONTE: Objection.

12 A. Yes.

13 Q. And what is your opinion based on?

14 A. That he had -- he didn't bring up any
15 issues to me of -- any medical issues.

16 Q. So is it fair to say that you trusted
17 NaphCare to provide adequate medical care to the
18 ICE detainees that were housed at the Suffolk
19 County House of Correction?

20 MS. PIEMONTE: Objection.

21 A. I did.

22 Q. Going down one more to the deficiency
23 labeled No. 3, the report states "Detention
24 facilities often misuse and abuse segregation."

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

142

1 MS. PIEMONTE: Objection.

2 A. Correct.

3 (Chambers Exhibit 18 marked for
4 identification.)

5 Q. Mr. Chambers, I have uploaded a document
6 that is Exhibit 18 to the deposition. This is a
7 copy of the plaintiff's complaint in this lawsuit.
8 Have you seen this before?

9 A. I have.

10 Q. Looking at page 12 of the complaint,
11 paragraph 57, Mr. Thiersaint alleges that "Despite
12 being in the medical wing of the Suffolk County
13 House of Correction, Mr. Thiersaint was denied
14 access to necessary medication and medical care
15 that he had been receiving at Osborn and Franklin
16 County House of Correction."

17 Do you know of any facts that would
18 contradict that allegation?

19 MS. PIEMONTE: Objection.

20 A. I wasn't aware that he was denied any --
21 access to any medication.

22 Q. Did you know anything about the medication
23 that he received while he was in the Suffolk County
24 House of Correction medical housing unit?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

143

1 A. No, I did not.

2 Q. In the next paragraph, Mr. Thiersaint
3 alleges "Defendant William Chambers was empowered
4 to ask the Suffolk County House of Correction staff
5 to provide Mr. Thiersaint with his medication."

6 Did you have the ability to ask the
7 Suffolk County House of Correction to provide Mr.
8 Thiersaint with medication as the ICE liaison?

9 MS. PIEMONTE: Objection.

10 Go ahead.

11 A. I'm not a medical doctor, so I couldn't
12 make that decision.

13 Q. Do you have the authority to speak with
14 the Suffolk County Sheriff's Department employees
15 about whether Mr. Thiersaint was receiving the
16 medication he required?

17 A. I could always talk to NaphCare about
18 medication.

19 Q. On page 13 of the complaint, Mr.
20 Thiersaint alleges "Rather than address Mr.
21 Thiersaint's requests for accommodations, the ICE
22 case manager, Defendant Chambers, refused to let
23 Mr. Thiersaint transfer to the general population
24 unless he agreed to use crutches instead of a

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

144

1 wheelchair."

2 Do you deny that?

3 A. I do.

4 Q. So if Mr. Thiersaint takes the stand at
5 trial and testifies that that occurred, is it your
6 position that he would be lying?

7 MS. PIEMONTE: Objection.

8 Go ahead.

9 A. I didn't have the power to do that.

10 Q. And when you say "the power to do that,"
11 what is it that you did not have the power to do?

12 A. I couldn't -- I couldn't have him -- I
13 couldn't have him go to general population because
14 I said that.

15 Q. So you didn't have the power to transfer
16 him to the general population --

17 A. Right. I --

18 Q. -- even if he did use crutches?

19 A. No, I didn't have that. It was Suffolk
20 who was able to make that decision.

21 Q. Who at Suffolk County would have had the
22 power to transfer Mr. Thiersaint back to the
23 general population out of the medical housing unit?

24 MS. PIEMONTE: Objection.

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

148

1 To your knowledge, did Mr. Thiersaint file
2 a grievance regarding his medical housing while he
3 was at the Suffolk County Sheriff's Department?

4 A. Not to my knowledge. I don't believe he
5 did.

6 Q. And to your knowledge, did he ever file a
7 grievance regarding any failure to accommodate his
8 disability?

9 A. He did not.

10 Q. And Mr. Chambers, other than Mr.
11 Thiersaint's questions to you about why he was in
12 medical housing and his prosthetic leg, did he
13 express any other questions or concerns to you
14 during his commitment to the Suffolk County
15 Sheriff's Department?

16 A. No, he didn't.

17 Q. Did he ever ask you for help accessing the
18 library services?

19 A. He did not.

20 Q. Did he ever ask you for help accessing
21 inmate legal services?

22 A. He did not.

23 Q. Did he ever express a concern to you about
24 his medications?

Emmanuel Thiersaint vs
Department of Homeland Security, et al

William Chambers
December 14, 2020

149

1 A. He did not.

2 MS. GARAND: That's all that I have.

3 MS. PIEMONTE: I'm not going to question
4 my witness. So are we all set?

5 MS. DiMARCO: I'm going to ask just a few
6 follow-up questions about the grievances that
7 Melissa mentioned.

8 EXAMINATION

9 BY MS. DiMARCO:

10 Q. Mr. Chambers, can you tell me about the
11 grievance process at the Suffolk County House of
12 Correction?

13 A. Yes. There were -- there is a grievance
14 form at the correction office front desk. You fill
15 out the grievance form, you put it in the grievance
16 box, and then within 24 hours they usually would
17 give a response.

18 Q. When you say "they," who received the
19 grievances?

20 A. The grievance board.

21 Q. And is that ICE employees or Suffolk
22 County Sheriff's Department employees?

23 A. Suffolk County.

24 Q. How would you know whether he filed a